

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
-vs-	:	CASE NUMBER 2:18-CR-204(2)
	:	
CHARLES L. CARSON,	:	JUDGE MICHAEL H. WATSON
	:	
Defendant.	:	
	:	

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**NOTICE OF POTENTIAL CONFLICT IN INTEREST**

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The undersigned counsel hereby gives notice of a potential conflict in interest regarding the Defendant Charles Carson. Counsel previously represented Erick Fambro in the matter of *State of Ohio v. Erick Fambro*, Franklin County Case Number 15CR-619 in which Mr. Carson was a named co-defendant in a related case (*State of Ohio v. Charles Carson*, 15CR-616). The robbery in that case is charged as Overt Act 35 in the present Indictment. Although Mr. Fambro's case has been concluded, and he is not a named defendant in this case, there may be a conflict if he is called as a witness should Mr. Carson's case proceed to trial.

Counsel has notified Mr. Carson of the potential conflict and offered him the option of waiving the same or to seek the appointment of new counsel. The Court and Government will be notified as soon as he has made his decision.

The potential for a conflict does not equate with an actual conflict. Counsel asserts his continued representation will not interfere in his zealous advocacy on behalf of Mr. Carson. Neither has counsel's representation been tempered or

compromise. This potential conflict was discovered as counsel was preparing the post hearing memorandum which is due on May 10, 2021.<sup>1</sup>

Respectfully submitted,

FREDERICK D. BENTON, JR.  
A Legal Professional Association

/s/Frederick D. Benton, Jr.

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<sup>1</sup> The post hearing brief has been prepared and forwarded to Mr. Carson for his reviewl.

## **CERTIFICATE OF SERVICE**

This is to certify that a true copy of the foregoing pleading was delivered by Electronic Filing and/or Electronic Mail on this the 3<sup>rd</sup> day of May, 2021 to the following:

Charles Carson  
Butler County Jail  
705 Hanover Street  
Hamilton, Oh 45011

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Respectfully submitted,

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